
OLR Bill Analysis

sHB 5269 (as amended by House "A")*

AN ACT CREATING PARITY BETWEEN PAID SICK LEAVE BENEFITS AND OTHER EMPLOYER-PROVIDED BENEFITS.

SUMMARY:

This bill changes the method for determining if a nonmanufacturing business is exempt from providing paid sick leave. Under current law, it must provide the leave if it employs 50 or more people in Connecticut during any of the previous year's quarters. It must determine if it exceeds this threshold by January 1 annually based on the quarterly reports it submits to the labor commissioner. Under the bill, the business must determine if it meets the annual 50-employee threshold base on the number of employees on its payroll for the week containing October 1.

The bill also prohibits the business from taking certain actions to avoid providing paid sick leave. Specifically, the business cannot fire, dismiss, or transfer an employee from one job site to another to come under the 50-employee threshold. Workers aggrieved by such practices may file a complaint with the labor commissioner, as the law allows.

The bill changes the timeframe for accruing paid sick leave. Under current law, employees accrue one hour of sick leave for every 40 hours worked per calendar year. Under the bill, they accrue one hour of paid sick leave for every 40 hours worked during whatever 365-day year the business uses to calculate employee benefits. This allows the employer to start the benefit year on any date, rather than only on January 1. The bill makes conforming changes.

The bill additionally extends to radiologic technologists the right to paid sick leave that current law grants to other service workers in specified occupational categories (see BACKGROUND).

*House Amendment "A" (1) eliminates the original file's change to

the basis for exempting manufacturers from providing paid sick leave, (2) prohibits businesses from engaging in certain practices to avoid providing paid leave, and (3) extends paid sick leave to radiologic workers.

EFFECTIVE DATE: January 1, 2015

BACKGROUND

Paid Sick Leave for Service Workers

By law, a service worker is entitled to leave if his or her employer employs at least 50 people in Connecticut. The worker can use the leave for his or her or a spouse's or child's:

1. illness, injury, or health condition;
2. medical diagnosis, care, treatment of a mental or physical illness, injury, or health condition; or
3. preventive medical care.

The employer must notify each worker when he or she is hired about the paid sick leave benefit.

COMMITTEE ACTION

Commerce Committee

Joint Favorable

Yea 13 Nay 3 (03/11/2014)

Labor and Public Employees Committee

Joint Favorable

Yea 8 Nay 1 (04/07/2014)